

B104 (FORM 104) (08/07)

ADVERSARY PROCEEDING COVER SHEET (Instructions on Reverse)		ADVERSARY PROCEEDING NUMBER (Court Use Only)		
PLAINTIFFS Willie Edward Barksdale	DEFENDANTS 1st Investors Afni, Inc Alltel Grnpt Crd Aspen/Fb&T Cca/cds Chase Auto Chase Auto Fin.	<table style="width: 100%; border: none;"> <tr> <td style="vertical-align: top; width: 50%;"> Collection Credit Bureau Asso Devry Inc Farmers Furniture First Premier Bank Friedmans Gemb/Jcp Gemb/Walmart Ga. Dept. of Revenue </td> <td style="vertical-align: top; width: 50%;"> Hccredit/cit Hsbc Auto Fin. HSBC Bank I C System IRS Lanier Collection Agency Midland Credit Mgmt National Capital Management, LLC Ocmulgee Milledgeville Child Support </td> </tr> </table> Queensborough National Bank Tonya Baker Tribute/Fbd US Bank/na ND Wells Fargo Bank, N.A. World Fin Zenith Acquisition	Collection Credit Bureau Asso Devry Inc Farmers Furniture First Premier Bank Friedmans Gemb/Jcp Gemb/Walmart Ga. Dept. of Revenue	Hccredit/cit Hsbc Auto Fin. HSBC Bank I C System IRS Lanier Collection Agency Midland Credit Mgmt National Capital Management, LLC Ocmulgee Milledgeville Child Support
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ATTORNEYS (Firm Name, Address, and Telephone No.) ATTORNEYS (If Known) Anthony Sandberg 229 Peachtree Street Atlanta, GA 30303				
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CAUSE OF ACTION (WRITE A BRIEF STATEMENT OF CAUSE OF ACTION, INCLUDING ALL U.S. STATUTES INVOLVED) COMPLAINT TO REIMPOSE AUTOMATIC STAY				
NATURE OF SUIT (Number up to five (5) boxes starting with lead cause of action as 1, first alternative cause as 2, second alternative cause as 3, etc.)				
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<input type="checkbox"/> Check if this case involves a substantive issue of state law		<input type="checkbox"/> Check if this is asserted to be a class action under FRCP 23		
<input type="checkbox"/> Check if a jury trial is demanded in complaint		Demand \$		
Other Relief Sought N/A				

BANKRUPTCY CASE IN WHICH THIS ADVERSARY PROCEEDING ARISES		
NAME OF DEBTOR Willie Edward Barksdale		BANKRUPTCY CASE NO. 09-53017
DISTRICT IN WHICH CASE IS PENDING MIDDLE DISTRICT OF GEORGIA	DIVISION OFFICE MACON	NAME OF JUDGE HERSHNER
RELATED ADVERSARY PROCEEDING (IF ANY)		
PLAINTIFF	DEFENDANT	ADVERSARY PROCEEDING NO.
DISTRICT IN WHICH ADVERSARY IS PENDING	DIVISION OFFICE	NAME OF JUDGE
SIGNATURE OF ATTORNEY (OR PLAINTIFF) /S/ ANTHONY SANDBERG		
DATE January 5, 2010	PRINT NAME OF ATTORNEY (OR PLAINTIFF) Anthony Sandberg	

INSTRUCTIONS

The filing of a bankruptcy case creates an "estate" under the jurisdiction of the bankruptcy court which consists of all of the property of the debtor, wherever that property is located. Because the bankruptcy estate is so extensive and the jurisdiction of the court so broad, there may be lawsuits over the property or property rights of the estate. There also may be lawsuits concerning the debtor's discharge. If such a lawsuit is filed in a bankruptcy court, it is called an adversary proceeding.

A party filing an adversary proceeding must also must complete and file Form 104, the Adversary Proceeding Cover Sheet, unless the party files the adversary proceeding electronically through the court's Case Management/Electronic Case Filing system (CM/ECF). (CM/ECF captures the information on Form 104 as part of the filing process.) When completed, the cover sheet summarizes basic information on the adversary proceeding. The clerk of court needs the information to process the adversary proceeding and prepare required statistical reports on court activity.

The cover sheet and the information contained on it do not replace or supplement the filing and service of pleadings or other papers as required by law, the Bankruptcy Rules, or the local rules of court. The cover sheet, which is largely self-explanatory, must be completed by the plaintiff's attorney (or by the plaintiff if the plaintiff is not represented by an attorney). A separate cover sheet must be submitted to the clerk for each complaint filed.

Plaintiffs and Defendants. Give the names of the plaintiffs and defendants exactly as they appear on the complaint.

Attorneys. Give the names and addresses of the attorneys, if known.

Party. Check the most appropriate box in the first column for the plaintiffs and the second column for the defendants.

Demand. Enter the dollar amount being demanded in the complaint.

Signature. This cover sheet must be signed by the attorney of record in the box on the second page of the form. If the plaintiff is represented by a law firm, a member of the firm must sign. If the plaintiff is pro se, that is, not represented by an attorney, the plaintiff must sign.

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

IN RE:) CHAPTER 13 CASE
)
Willie Edward Barksdale) NO. 09-53017
)
Debtor.)

Willie Edward Barksdale)
)
Plaintiff.) ADVERSARY PROCEEDING
v.) NO. _____
)
1st Investors, et. al.)

COMPLAINT TO IMPOSE AUTOMATIC STAY

Comes now the above Debtor, Willie Edward Barksdale, by and through
counsel, and shows to this Honorable Court the following:

1.

This Court has jurisdiction over this matter pursuant to 28 U.S.C. Sections 151
and 1334 and pursuant to the above-styled Chapter 13 case filed by the Debtor. This is a
core proceeding within the meaning of 28 U.S.C. Section 157.

2.

On September 21, 2009, Debtor filed a Voluntary Petition for Bankruptcy relief
pursuant to Title 11, Chapter 13 of the United States Code. Within the last year Debtor
also had another pending case, #08-53523, filed on November 30, 2008 and dismissed

after confirmation on August 19, 2009. The automatic stay provisions of 11 U.S.C. Section 362 terminated at the end of thirty days from the date of filing of the instant case inasmuch as no Order was entered by this Court extending the stay.

3.

Debtor's previous case was dismissed because Debtor's wife lost her job resulting in their inability to continue to fund the Plan.

4.

There has been a change in circumstances since the previous case was dismissed. Debtor's wife is now receiving unemployment compensation and is currently seeking new employment. Consequently, Debtor is able to fund the current Chapter 13 Plan.

5.

Debtor seeks an Order from this Court imposing the automatic stay against all creditors which shall remain in effect until such time as the case is dismissed or the stay is otherwise terminated by operation of law.

WHEREFORE, Debtor prays for the following:

- A. This Complaint be filed, read and considered;
- B. This Honorable Court impose the stay;
- C. This Court grant any further relief as this Court deems just and proper.

This 5th day of January, 2010

Respectfully submitted,
The Sandberg Law Firm

/s/ Anthony Sandberg
Attorney for the
Debtor Bar# 625210